

REMARKS

Claims 1-9 are all the claims pending in the present application. The Appeal Brief filed on January 4, 2005 was found to be persuasive, however the Examiner has added new grounds for rejection. Specifically, claims 1 and 7-9 are all rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Claims 1-6, 8 and 9 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1-3 and 9 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Menzies et al. (U.S. Patent No. 6,317,748). Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menzies in view of Skog et al. (U.S. Patent No. 6,385,650). Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menzies in view of Collins et al (U.S. Patent No. 6,687,761). Finally, claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menzies in view of Fiszman et al. (U.S. Patent No. 6,115,646).

§ 101 Rejections - Claims 1 and 7-9

The Examiner rejects claims 1 and 7-9 under 35 U.S.C. § 101 for the reasons set forth on page 3 of the Office Action. Applicants amend claims 1 and 7-9, as indicated herein, to reflect that the claimed method is embodied in a program that is stored on a computer readable recording medium. Applicants believe that these amendments obviate the rejections of claims 1 and 7-9 under 35 U.S.C. § 101.

§ 112, second paragraph, Rejections - Claims 1-6, 8, and 9

The Examiner rejects claims 1-6, 8 and 9 under 35 U.S.C. § 112, second paragraph, for the reasons set forth on pages 3-5 of the present Office Action. Applicants amend claims 1-6, 8

and 9, as indicated herein, and Applicants believe that these amendments obviate the § 112, second paragraph, rejections of these claims.

§ 102(e) Rejections (Menzies) - Claims 1-3 and 9

The Examiner rejects claims 1-3 and 9 as allegedly being anticipated by Menzies.

Applicants traverse these rejections at least based on the following reasons.

Briefly, Menzies is directed to a method and system to provide management information of network devices by mapping between Simple Network Management Protocol (SNMP) Management Information Bases (MIB) module schema and Common Information Model (CIM) schema. On the other hand, the present invention is directed to, for example, a computer readable recording medium storing a program for performing a method of implementing a tree of distributed objects in different processes, which, on its face, is different from the mapping process that is described in Menzies.

Further, with respect to independent claim 1, the Examiner generally cites different portions of Menzies as allegedly satisfying the limitations set forth in claim 1. However, the Examiner fails to demonstrate that Menzies satisfies specific elements and limitations set forth in claim 1. For example, the Examiner cites column 3, lines 27-35, column 4, lines 51-64, and column 1, lines 15-25, as allegedly satisfying the central directory adapted to store information on objects in a data structure at a root of the tree, however nowhere in the cited portions is such a central directory described. Furthermore, there is no such description of a central adapted to store information on objects in a data structure at a root of the tree. Column 4, lines 51-64 simply discusses what program modules can be stored on, what a user may use to enter

commands, and what type of device can be used to display information. However, there is no such mention of the claimed central directory, as set forth in claim 1.

Yet further, nowhere does Menzies teach the operation of assigning to a father object in a process, for each of one or more son objects, information corresponding to a physical address if at least one of said each of one or more son objects is contained in a same process. That is, column 15, lines 36-54 does not teach the above-discussed operation of assigning, but only appears to simply discuss how a particular tree is traversed. Moreover, Menzies certainly does not teach the particular condition of assigning information corresponding to a physical address if at least one of said each of one or more son objects are contained in a same process. Moreover, the Examiner has not even identified which aspects or components of Menzies correspond to the claimed “father object,” “son object,” or “same process,” respectively.

Therefore, at least based on the foregoing, the Examiner has failed to show that each and every limitation of claim 1 is satisfied by Menzies.

Applicants submit that dependents claims 2, 3, and 9 are patentable at least by virtue of their dependency from independent claim 1.

Further, with respect to claim 2, the cited portions of Menzies do not show a feature corresponding the claimed feature, “if the central directory receives a request for access to a first object identified by a logical name identifying a logical access path of said first object from the central directory, the central directory searches its data structure for a logical name received in order to send the request directly to said first object or, if said logical name is not in the central directory, the central directory searches for a logical name with a longest character string equal to a first part of the character string of the logical name received, in order to send to said father

object the request, by providing said father object with information corresponding to the logical access path of the first object relative to said father object,” as recited in claim 2. Even though column 10, lines 14-58 of Menzies appears to discuss the addressing of objects within an object path, Menzies does not discuss a central directory receiving a request, nor a central directory searching its data structure for the logical name received in order to send the request directly to a first object.

Further, with respect to claim 3, Menzies does not teach that a father object receives a request and sends the request to a first object based on the specific conditions set forth in claim 3.

At least based on the foregoing, Applicants submit that claims 1-3 and 9 are patentable over Menzies.

§ 103(a) Rejections (Menzies/Skog) - Claim 4

The Examiner rejects claim 4 for the reasons set forth on page 7 of the present Office Action. The Examiner acknowledges that Menzies does not teach the features set forth in claim 4, however the Examiner alleges that Skog makes up for this particular deficiency of Menzies.

First, Applicants submit that dependent claim 4 is patentable at least by virtue of its dependency from independent claim 1. Skog does not make up for the deficiencies of Menzies.

Further, with respect to claim 4, Applicants yet again submit that the cited portions of Skog does not identify a central directory, as recited in claim 4. Moreover, there is no description of a central directory that manages redundancy of processes by selecting one of the processes relating to a requested object. Therefore, at least based on the foregoing, Applicants

submit that claim 4 is patentably distinguishable over the applied references, either alone or in combination.

§ 103(a) Rejections (Menzies/Collins) - Claims 5 and 6

The Examiner rejects claims 5 and 6 over Menzies and Collins for the reasons set forth on pages 7-8 of the present Office Action. Applicants traverse these rejections at least based on the following reasons.

First, Applicants submit that dependent claims 5 and 6 are patentable at least by virtue of their respective dependency from independent claim 1. Collins does not make up for the deficiencies of Menzies.

Further, with respect to claim 5, the Examiner acknowledges that Menzies does not teach “if a father object of a process receives a request relating to a son object directly it returns that request to the directory if said son object is not contained in its process.” *See page 8 of Office Action.* The Examiner, however, alleges that Collins make up for this particular deficiency of Menzies. In response, upon Applicants review of the cited portions of Collins, Collins does not even mention the condition of a father object receiving a request relating to at least one of said one or more son objects directly, and consequently returning that request to the directory if the son object is not contained in its process. Collins does not even discuss a son object not being contained in a process of a father object. Furthermore, the Examiner has not identified what feature or aspect of Collins corresponds to the claimed “son object,” “father object,” or “process,” therefore the Examiner cannot viably argue that the features of claims 5 and 6 are satisfied by the combination of Menzies and Collins.

Yet further, Applicants submit that one skilled in the art would not have been motivated to combine Menzies and Collins at least because they are directed to different inventions. That is, Collins is directed to routing requests generated by one or more clients to implementation objects maintained by server application (see Abstract of Collins), while, on the other hand, Menzies is directed to mapping between a particular schema and another schema, and is NOT the least bit concerned with routing requests of clients.

Therefore, at least based on the foregoing, Applicants submit that claims 5 and 6 are patentably distinguishable over the combination of Menzies and Collins.

§ 103(a) Rejections (Menzies/Fiszman) - Claims 7 and 8

The Examiner rejects claims 7 and 8 for the reasons set forth on page 9 of the present Office Action. The Examiner acknowledges that Menzies does not specifically discuss the features set forth in claims 7 and 8, however the Examiner alleges that Fiszman makes up for the deficiencies of Menzies.

First, Applicants submit that dependent claims 7 and 8 are patentable at least by virtue of their dependencies from independent claim 1. Fiszman does not make up for the deficiencies of Menzies.

Further, with respect to claim 7, the cited portions of Fiszman which allegedly satisfy the features of claim 7, only discuss what CORBA is and its related features, however nowhere do the cited portions of Fiszman teach that the central directory contains at least information relating to each root object of each process.

Therefore, at least based on the foregoing, Applicants submit that dependent claims 7 and 8 are patentably distinguishable over the applied references.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/701,653

ATTORNEY DOCKET NO. Q61879

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

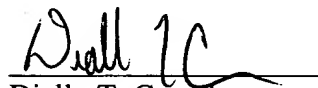
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